

REMARKS

General Remarks

Claims 1-69 are all the claims currently pending in the present application.

Claims 1, 3-5, 7-9, 11-13, 15-17, 19-21, 23-24, 32, 34-36, 38-40, 42-44, 46-48, 50-52, 54, 55, 63-64, 65, and 67-69 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Kano et al., U.S. Patent No. 5,359,513 (“Kano”). Claims 2, 6, 10, 14, 18, 22, 25-31, 33, 37, 41, 45, 49, 53, 56-62, and 66 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Kano, in view of Lemelson et al., U.S. Patent No. 5,878,746 (“Lemelson”). Applicant respectfully traverses these rejections as explained below.

Claims 63 and 64

Regarding the Examiner’s rejection of Claims 63 and 64 over Kano, Applicant submits that Kano fails to disclose or suggest all of the limitations of the present invention as recited in Claims 63 and 64, for at least the following reasons.

Applicant submits that Kano fails to disclose or suggest “displaying information identifying the two or more base images each represented by one of said two or more sets of the base image data together with the processed image.” With respect to this limitation, the Examiner asserts that the original images, displayed along with the subtraction images of Kano, are “information identifying two or more base images,” as claimed. However, Applicant respectfully notes that a claim is only anticipated if each and every limitation of the claim is found in the prior art reference. (*Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). Applicant respectfully notes that claims 63 and 64

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recite “displaying *information identifying the two or more base images*,” rather than merely reciting “displaying the two or more base images.” Applicant notes that the Examiner appears to ignore the actual claim language in favor of a broader interpretation including only the display of subtraction images. However, Kano fails to disclose or suggest the actual claimed limitation of “displaying *information identifying the two or more base images* each represented by one of said two or more sets of the base image data together with the processed image.” As explained in the specification, the referent of the claimed phrase as recited in Claims 63 and 64 is information that specifies which images were employed in the inter-image processing. (See e.g. Specification, p. 13-14 and 20). For example, the information identifying the two or more base images may include, but is not limited to, file names, the location(s) at which the images are stored/saved, the names of patients, and time periods during which the images were obtained. The information identifying the two or more images comprises data other than the images themselves.

Therefore, in view of the above, Applicant submits that Kano fails to disclose or suggest “displaying *information identifying the two or more base images* each represented by one of said two or more sets of the base image data together with the processed image,” as recited in Claims 63 and 64, and respectfully request that the rejection of Claims 63 and 64 be reconsidered and withdrawn.

Conclusion

In view of the above, and in view of Applicant’s arguments presented in the Amendment under 37 C.F.R. § 1.116 filed on December 13, 2004, reconsideration and allowance of this

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application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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